The News of Brooklyn

THE DIRECTORS SUED.

COMMERCIAL BANK DIVIDENDS IN DIS-

THE CASE BROUGHT BY THE RECEIVER OF THE PEFUNCT INSTITUTION, W. N. DYKMAN, AGAINST S. L. KEENEY, E. SNEDIKER

mal was begun yesterday afternoon in the greme Court, before Justice Osborne and a in the suit of William N. Dykman, as reger of the Commercial Bank, against Seth L. Elbert Snediker and James Locke, distors of the defunct bank, to recover the amount da dividend declared on June 28, 1892, on the gound that the directors had no right to declare the dividend, and that their action was illegal. two other suits are pending against the directors of the bank for dividends declared in January and July of 1893, the allegation in each case being the same. Mr. Dykman has been the receiver of the bank since it collapsed in 1893, and he was directed by the Supreme Court to bring the actions against the directors. James C. Bergen, his law partner, is his counsel, and appears for aim in the actions. Jesse Johnson appears for Seth L Keeney, who was the president of the bank, and Adolph Simis for Elbert Snediker. James Locke is dead, and the Court has not yet decided whether it will allow the action against him to be maintained. George F. Elliott appears for the depositors' association.

When the suits were called yesterday morning, in Part I of the Supreme Court, where Justice Keogh is presiding, Jesse Johnson, on behalf of the defendants, moved to dismiss the complaints, on the ground that they did not conun facts sufficient to constitute causes of action. Mr. Bergen said that the actions were brought must the direction of the Court and the very passwhich Mr. Johnson raised were then dis-The Court decided that the creditors gold take care of themselves, and directed the egiver to go on with the actions. Justice

Keegh denied the motions, and sent the case More Justice Osborne for trial. A jury was impanelled, and in the afternoon Mr. Bergen opened He quoted the act of 1825, in which he said it

was provided that the directors of corporations should not declare or pay dividends except from the surplus of profits. If they did so they were lable to the corporation and the creditors. Mr. Bergen then recited the various acts which were passed after 1825 making the directors liable to the corporation and the stockholders for dividends not declared out of the surplus profits, but he said that by the act of 1892 the law of 1825 was practically re-enacted, and the directors were made liable as they were before. Mr. Bergen said that it was not alleged that

the directors of the Commercial Bank declared dividends knowing that they would reduce the capital and that they could not come out of a surplus profit, but that was no defence to the acon. The statute deemed them to have such knowledge, because they were directors of a bank. They were there in a position of trust, and it was their business to inform themselves how the flusiness was being carried on, and not to rely on statements made to them by others. It was provided in the statute that any directors who were not present at a meeting when fraudulent dividends were declared, or those who were present and who caused their disapproval to be spread on the minutes, could not be held liable, but the defendants in the present action had been present and had not expressed any disap-

Commercial Bank was incorporated in 1868, following the provisions of the law of 1838. Its capital at first was \$100,000. In 1873 the capital was increased to \$180,000, and five years capital at first was \$100,000. In 1815 the capital was increased to \$180,000. Business was later it was reduced to \$180,000. Business was carried on with that capital until June 28, 1892, when a meeting of the directors was held in the morning before the opening of the bank. The defendants were those who were present. The regular monthly statement had been presented to them and on that they had declared a dividend of something over \$4,000. The statement showed that the bank had a surplus of \$97,702, when the fact was that there was a deficiency of \$109,712 08. The difference arose from various methods of false financiering, which included the reckoning of notes held as assets, when no interest had been paid on them in more than a year, in direct violation of the provisions of the statute. The directors had also accepted other notes for interest due on notes and with others had added the amount of the interest to the face of the note in granting renewals. Mr. Bergen said that on this account the directors were liable for the amount of the dividends declared. The other two settors which will follow the one

The trial of the case was continued.

The other two actions which will follow the one en trial are against the directors who declared dividends in January and July. 1893.

WILL SING AN ANCIENT HYMN.

AN INTERESTING FEATURE OF THE COMMENCE-MENT OF THE BROOKLYN HEIGHTS SEMINARY TO-DAY.

Five young women will be graduated this after-mon from the Brooklyn Heights Seminary in Monague-st, where appropriate exercises will be held to be he's in the chapel of the school, beginning at 3 ctick. The members of the graduating class are Anna H. Conrow, Lois A. Farnham, Louise R. Hayes, Maude Longmire and Mary E. White.

It will be the forty-fifth annual commencement. The Rev. Dr. R. S. Storrs will preside. The exerclses will open with prayer, which will be followed with music by Miss Chatfield, William Lyon Phelps, of Yale, will then deliver an address on The Educational Value of Novel Reading." After the Educational Value of Novel Reading." After this the "Hymn to Apollo" will be sung by Miss Latlmer, of New-York, accompanied by Miss Florence Chatfield on the harp. The hymn will be a pecial feature of the exercises. It was composed, it is said, about 278 B. C., and was discovered engated on marble at Delphi, in May, 1893, by the French Archaeological School of Athens. The hymn has been sung in New-York and Beston, and with mad success. The presentation of diplomas will be made by the Rev. Dr. Storrs. A reception will be the exercises.

THEIR NEW HOUSE OPENED.

PECEPTION AT ST. AGNES'S CATHOLIC CLUB. The members of St. Agnes's Catholic Club opened the new clubhouse, at No. 404 Degraw-st., last that Less than a year ago the club was organized, in since then its membership has increased in obers to more than 100. Father Duffy, pastor the church, is the spiritual director, and James McCormack is president of the club. All day receday a half-dozen young men were busy putting the finishing touches on the interior of the

building, which is three stories high and well fur-mished. In the basement there is a pool table, on the Second floor are the parlors, nicely carpeted and with walls artistically covered with expensive paper. The third floor contains the smoking and billiard fooms. In the rear parlor, downstairs, there is a large oil-painting of Father Duffy and a life-sized potrait of William Daly, one of the benefactors of the club

the club

A canopy, decorated inside and outside with Chinese lanterns, covered the rear yard last night. Here the members propose to give lawn parties occasionally for the benefit of the church. There were several hundred persons at the opening last night, and they explored every inch of the building. Father Duffy made an address in which he hald a flattering tribute to the members for their energy in making the organization a success. Tonight, a reaching the organization a success. Tonew clubhouse.

THINK THIEVES CAUSED A BLAZE. bed in the room of a servant in the home of ex-Vanderblit-ave., was discovered in a biaze by Officer Concernitation of the control of the

CLEVER WORK OF PUPILS.

THE ANNUAL EXHIBITION OF THE DE-PARTMENTS OF PRATT INSTITUTE.

NEARLY SIX THOUSAND ARTICLES SHOWN-FOOD PRODUCTS AND ART-SUBJECTS AMONG

THE MANY VIEWED. The annual exhibition of the work of all depart ments of the Pratt Institute was opened yesterday to invited guests. There are nearly 6,000 articles exhibited, all of which are the work of the students, and many of which are of original design, particularly in the department of fine aris. To attempt a description of the pictures, carvings, drawings, embroideries, lace and other fancy fabrics which are really worthy of mention would require several columns of the average daily newspaper. day the institute will be open for public inspection The exhibit of the domestic science department things a good housekeeper must know. The evolution of the house and utensils is shown in the illustrations of the course in household art. Hygienic and home nursing have practical illustrations in bandaging a model and in bed-making; food charts and food sets easily depict the food values of ordirary articles of diet, as shown by a sample break fast, dinner and supper for a man at work, con trasted with the amount necessary simply to keep him alive. Then there are shown in beautiful array pyramids of jellies and canned fruits, fruit syrups, cakes, meat jellies, ornamental frosting, salads, bread and rolls, all of which testify to the practical skill of the students. Then there is an array of chemical and bacteriological apparatus, liustrating the necessary scientific training as panying the work. The domestic science departent includes also sewing, dressmaking, milliner, and physical culture. There are specimens of handsewing in undergarments, and wash dresses don

in the sewing class; stylish and well-finished gowns

and tailor-made jackets in the dressmaking classes,

and hat's and bonnets of all descriptions in the mill

The exhibit of the work of the physical culture class shows the course of study to be carefully planned, and the authropometrical charts show good results of the work of the year. On another floor are the chemical laboratories and lecture-room, in which the work of the High School and the three years' evening course is illustrated. The evening course work is illustrated by typical experiments qualitative and quantitative analysis. There are shown eres in process of assaying, and tabulated oratories. Many interesting experiments and apparatus are shown here. In the High School Building a room is devoted to the kindergarten exhibit which is of great interest. The trade school, which is made up of evening classes, shows some clever work in sign and freece painting. In the carpentry classes are some beautiful medies of the students' work. The department of fine arts, of which Walter S. Perry is director, attracts much attention. The drawings of the life class, at the head of which is Arthur W. Dow, were said to be excellent, and to show much knowledge of anatomy. The still life, including many flower subjects, as well as the brilliant and fascinating brass kettles, is the work of Miss Iria Haskell's class. An important class is that in clay modelling, under the instruction of S. Herbert Adame. A memorial table in this room, executed by Mr. Maynard, a pupil of Mr. Adams, is to be placed in the Classon Avenue Presbyterian Church, and is in memory of a lady formerly connected with the Sunday-school. This class is one of the most important and interesting in the art department. The architectural classes, under Mr. Edulnister and Mr. Griffith. er in this room, executed by Mr. Maynard, a pupil of Mr. Adams, is to be placed in the Classon Avelue Presbyterian Church, and is in memory of a day formerly connected with the Sunday-school, his class is one of the most important and interesting in the art department. The architectural lasses, under Mr. Edulnister and Mr. Grüßlinakes a good showing.

The exhibition is open to-day to invited guests. good showing xhibition is open to-day to invited guests, aw afternoon and evening it will be open to

JEFFERSON WAS THEIR GUEST.

VETERAN ACTOR PRESENT AT THE BARNARD CLUB'S RECEPTION-HIS

CHARMING REMARKS. The reception given by the Barnard Club for Jein the home of Mrs. William S. Packer, No. 2 Grace Court, on Monday afternoon is one long to be remembered by those who were for-tunate enough to attend. The demands upon Mr. rarely he will accept invitations to eacial functions, and the club justly thought itself honored by his presence. After an hour spent in receiving the presence. After an hour spent in receiving the guests and presenting them to Mr. Jefferson, the veteran actor addressed the club, giving several reminiscences of his varied life. As he rose to speak, he was greeted by a round of applause. He began by saving that there was nothing an actor likes more than a good round of applause. It not only stimulated him, so Mr. Jefferson said, but assured him that he was welcome. In speaking of comedy, Mr. Jefferson said that there is a serious side to it, and those comedians who were most serious in portraying it are the most successful. As an example, he referred to the two grave-diggers in "Hamlet." They said some very funny things, while all the time they were as serious as philose-

phers, and in their own minds as wise. Mr. Jefferson followed this by reciting the from "Hamlet" where the grave-diggers discourse on suicide. The audience enjoyed the recitation greatly. Mr. Jefferson, in the course of his regreatly. Mr. Jefferson, in the course of his re-marks, told of an experience he once had with a college professor. The professor asked him once if he did not think that the "starring" system was in-jurious to the drama. Mr. Jefferson was lecturing at the time, and he had asked the audience to put any questions to him they chose. The coilege pro-fessor asked that one. Mr. Jefferson told his audi-ence that he was rather frightened when he saw the professor coming down the alsle to ask ques-

ring system hurtful, but I had radically changed my views since I had become a star myself. I once looked upon all managers and stars as tyrants. That was when I was in a stock company. Now I look upon almost every actor as a conspirator. (Laughter.) However, I asked the professor not to blame me for the starring system. I had not invented it That had been done some three hundred years before by a gentleman named William Shakespeare. It was his fault. (Laughter.) He had written most of his plays for stars. The other parts, while, of course, essential to the play, merely revolved around central figure. This central figure is always illustrative of one of the human passions. The professor

central figure. This central figure is always illustrative of one of the human passions. The professor asked me about Romeo and Juliet; who was the star? I replied that this play, like all the others, was written to illustrate a passion. Othelio illustrated jealously, 'Richard,' ametion: Timon of Athens,' the spendthrift; 'Macheth,' fate: 'Coriolanus,' the autocrat; 'Faistaff,' the gluiton, while in 'Romeo and Juliet' the possion of love was represented. How could that be done, I asked, without having two characters?" (Laughter and applause.)

Mr. Jefferson then teld a story of Spranger Barry and David Garrick, who were playing Romeo in Lendon at the same time. There was a great dispute as to which was the better Romeo. They had an entrely different conception of the part, and it was left to Mrs. Cibber to decide. She was playing Juliet, first to one and then to the other. She said that it was impossible to say which was the better because they acted the part so differently. 'Barry is so eager, so passionate and so headstrong in the balcony scene,' she said, 'that I am afraid all the time that he will jump up to me, while Garrick is so fascinating, so enticing, so charming that I am afraid all the time I shall go down to him.'

Mr. Jefferson referred to Rip Van Winkle, and said that after the first act of the play, Rip ceased to be a human being, and became a mythical personage, an inhabitant of dreamland or spiritland.

At the close of his remarks, Mrs. Frederick P. Belamy presented to him an immense banch of American Beauty roses. She made a graceful specch, with many witty and telling points. There were over's a hundred people present, including several from New-York.

CHARGED WITH ROBBING AN IMMIGRANT. Jacob Funk, thirty-four years old, of No. 127 Dyk man-st., was arrested yesterday afternoon on a warrant issued by Justice Tighe, of the Street Court, on complaint of Peter Halder, a Ger-

man immigrant, of No. 26 State-at., New-York, who charges him with grand larceny, According to Haider, when he landed in this country, about three weeks ago, one of the first men he met at good job and steady wages to him. Haider had 40 marks of German money with him, and Funk got possession of this, promising to get it changed into United States currency. Funk, according to Haider, disappeared suddenly with the money, and was not found until yesterday, when Patrolman John Collins arrested him in his house. Funk was held on a charge of grand larceny in the second degree.

HIS IDEA OF THE CATSKILLS.

A WITNESS IN THE MACKENZIE TRIAL SAYS THEY "DO A GREAT DEAL OF KISSING" THERE.

TESTIMONY WHICH CONFLICTS WITH AFFIDAVITS

Further hearing was had yesterday in the Su preme Court before Justice Van Wyck and the jury before whom the suit of Augustus Mackenzie for an absolute divorce from his wife Alice is on her husband for divorce, but it has been said that no evidence will be produced in support of the allegations made in her answer. Each party strenu ously denies the charges of the other, Mrs. Mackenzle setting up in her answer a long course of husband subjected her. Mackenzie is the head of at No. 25 Pine-st., New-York, and it is said that he is well off. Mrs. Mackenzie is a brunette. were a jaunty white sailor hat, and spent the day taking notes of the testimony of the witnesses Harry Goff, who kept the Jefferson House, in Catsseen the defendant with Clarence Woodvine and William Smith, two men whom he employed in his livery connected with the hotel. Mrs. Mackenzie had gone to the house in July or August, 1894, and stayed for about three months. Her husband had visited her about once a week, but was away most of the time. The witness said that he had seen Woodvine coming out of Mrs. Mackenzie's room at an early hour in the morning. The defendant had spent most of her time with Woodvine, and after she quarrelled with him she had gone with Smith West Forty-third-st., New-York, who was a gues at the hotel, testified that the defendant and Wood-vine were very friendly. The defendant had gone to the stables and laughed and joked with Woodvine Smith and Woodvine used to wear the defendant's men drinking champagne together. When she was plied that she had drunk champagne for thirty

years, and knew it when she saw it Clarence Woodvine admitted that the charge against the defendant in which he was concerned was true. He said that she wanted to run away with him, and he had consented, providing sh would furnish the money. He said he was a married man, and he supposed his wife would sue his for divorce. When he was asked the reason why the intimacy between him and Mrs. Mackenzie was broken off, he replied that Goff had told him that Mr. Mackenzie might find out about it at any tim

had kissed Mrs. Mackenzie. He replied that he had been told that he had done so, but the incident had occurred when he was too drunk to remember. He of transporting the stone and other material. In remarked that "they do a great deal of kissing up a hotel near the Jefferson House, however, he had come so angry with him that the would not speak to him for a week. They had made it up after that mitted that the allegations in the complaint or

In cross-examination Mr. Childs, who appear

the ward Smith together at Greene's take, about 19:36 o'clock at wigh. Mr Childs, in cross-examination, asked how it was that he remembered so well what Mrs. Mackenzie said to Smith on the waron Sullivan replied. Well, I was surprised that a girl would tell him any such thing I didn't see anything about him to be suck on. That created a laugh, and Justice Van Wyck rauped for order James Mackenzie, the twelve year-old son of the parties to the action, was called as the last witness for the plantiff. He is a bright as the last witness for the plantiff. He is a bright seat-old son of the parties to the action, was cased as the last witness for the planniff. He is a bright little fellow, and he gave his testimony in a straightforward manner. He said that early one morning in the Jefferson House, while he was getting dressed, he saw Woodvine leave his mother room. The witness said that his mother had beaten him while he lived with her at No. Li. St. Mark's are, hecause he went to ride with his father. This was after his father had left his mother. He had run away from her too, and gone to the paintiff.

While the hey was testifying. Mrs. Mackenzie gobbed with her head on the counsel's table, and the plaintiff which do not be counsel's table, and the plaintiff which cause for the defence. Mr. Childs said that he would prove that even if the defendant had committed the acts charged against her, the plaintiff had condoned them, and had lived with her for seven months after he had accused her of sustaining improper relations with Smith and Woodvire.

The trial will be continued to-day.

ondvine. The trial will be continued to-day.

THIEF IN CRESCENTS' NEW HOME.

TWO LOCKERS IN THE CLUB'S EIGHTY SIXTH ST. HOUSE ROBBED ON THE OPENING DAT.

Crescent Athletic Club members, who are spending a good deal of their time in their country home in Eighty-sixth-st., are in "a state of mind" about Memorial Day, the first day the house was opened this season. The rebbery was not reported until yesterday, and last night when a Tribune re-porter asked an official of the club for some of the particulars the assertion was made that there had

HOW THEY WANT THE AVENUE EXTENDED.

ARGUMENTS BEFORE THE COMMITTEE ON GRAD-ING AND PAVING IN THE COUN-

A meeting of the Committee on Grading and Pavng was held in the Common Council Chamber last evening to hear arguments for and against the ex-Oltrogue in resolutions introduced into the Council ome time ago. Alderman Oltrogge presided at the meeting. His resolution was to extend Bedford-ave., as now laid down on the map, between Malbone-st. and East Broadway, by "producing the easterly and westerly lines thereof in a southerly direction and in continuation of said lines until the ntersect the northerly lines of Vernon-ave," other paragraph of the resolution directs the Council to close Belford-ave, between East Broadway and Vernon-ave, and strike it from the map. The pposition to Alderman Oltrogge's movement was led by George C. Case, a lawyer; Henry A. Myer, president of the Germania Real Estate Company, and R. A. Morrison. These men say they represent three-quarters of the property-owners between Vernon and Platbush aves.

Their contention, in brief, is that Bedford-ave.

Their contention, in brief, is that Bedford-ave, should be extended in a straight line, instead of stantingly, as proposed by the resolution. Both Mr. Case and Mr. Myer pointed out that by making a jog of 150 feet to the east, and then extending the straight line to Melrose-ave. the work could be done for about 35 per cent less than by extending or an angle. They produced a map showing that any other method of procedure would take off twenty feet in front of every house between East Broadway and Vernon-ave, and that consequently the cost would be enormous. Mr. Myer said that the cost would be enormous. Mr. Myer said that inasmuch as Bedford-ave, is one of the main thortone, the Council should not proceed hastily. He thought that the extension eventually would go to thought that the extension eventually and the extension eventually would go to thought the extension eventually and t

THEY FAVOR THE PLAN.

MR. BURTIS AND WARDEN HAYES WANT THE PENITENTIARY MOVED.

CONVICTS, THEY SAY, COULD DO THE GREATER

moved from its present site, where it stands in the way of improvement of what should be a beautiful section of the city, to the outskirts of the work of the prisoners. Commissioner Burtis thinks the use of the material of the present building in the new building, and the utilization of the prisoners in tearing down the Crow the men, heping to find a policeman. The men Hill structure and helping in the construction of a new one, would reduce the cost of the new and crossed the river. Ossman says he failed to

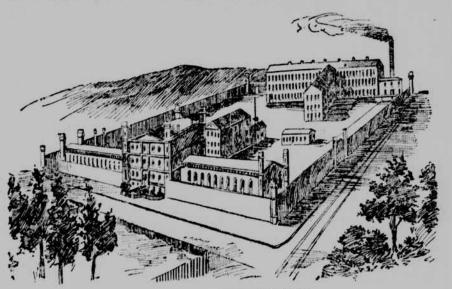
IN THE EASTERN DISTRICT. THE PEOPLE'S CASE OF ENED.

HELD ON A CHARGE OF BURGLARY.

TWO MEN CAUGHT ENTERING THE WYONA ATH-LETIC CLUB HOUSE.

yesterday held Alexander Buttner and Bernard Kaiser, two young men, for examination on a charge of burgiary. On Monday afternoon, while George Ossman, of No. 141 Montrose-ave., was alone noise at a back window and saw two mer the city is not visionary is proven by 'he fact trying to force an entrance. He did not disturb that all those who are capable of judging agree them, but waited for developments. The men finally that the cost of tearing down and rebuilding failed to get into the clubhouse by the window, and could be kept down to a low figure by utilizing got into the hallway and opened the doors with false keys. They then began ransacking the place and took several small articles and \$1 45 in cash from a drawer. They then left the building.

Ossman, who had concealed himself, then followed walked along Broadway to the Roosevelt-st, ferry



KINGS COUNTY PENITENTIARY.

building to half what a new building without this material and labor would cost. Commissioner Henry, who does not take a hopeful view of an immediate change of the site of the Penitentlary, admitted yesterday that this estimate was not wrong. Warden Hayes, who knows just what his prisoners are capable or doing, goes even further than Commissioner Burtis, and thinks that by employing the prisoners the cost of mov of transporting the stone and other material. In short, he believes that the entire work of tearing down and rebuilding can be done by the pris-

"The stone in the Penitentiary is perfectly good, and it can be taken down and cleaned by county Prison in a more appropriate place. have some practical stonemasons among the prisoners, who could help in the construction of a building on such new site as may be selected. other prisoners could help by carrying stone and

Commissioner. "Fil venture that it will be removed within five years. I shouldn't wonder but think it would be advisable to buy several thousand acres of scrub oak land in Long Island. This can be bought for \$10 to \$15. The prisoned could then be put to work grubbing out these caks and turning the cheap land into valuable land. The improvement in the value of the land would amount to much more than the cost of the new building. Suffolk County did this, and their land has blossomed like a rose. The Manhattan State Hospital is on \$10 scrub oak land

that were recently bought have to be driven a long distance to water twice a day.

There is no objection to going far enough out on the Island to get cheap land, as prisoners can be taken a long distance readily. Some of them are now taken from here to Sing Sing or Dan-

are nemora."

If the Pentlentiary is to be moved," said Warden Haves, "it should be moved to Barren Island or some other available island. This would enable us to utilize all of the prisoners in purting up the buildings and improving the appearance of the island. The Pentlentiary build-pearance of the island. The Pentlentiary buildings and island is a churches and other trance of the Island. The Penitentiary I is could be removed just as churches and ings could be removed just as churches and other large buildings are. Each stone could be marked as it was taken down and the building relaid just as it now is, stone for stone. When the building was first put up it was the plan to have eight there of cells, instead of four. Two years ago there was some discussion as to the advisability of adding two thers. This would have given us 200 more cells."

When asked what he thought of the proposition to remove the "Pen" the Warden said he thought well of it if a desirable place could be found.

found "The only expense of moving would be the freightage," he added. "We have as good mechanics as there are in the country. They can do as good work at stone-laying, brick-laying, painting, etc., as any one. All that would be necessary would be to build a temporary home for them at the new site, and then begin to transport. While part of the prisoners were tearing down and transporting, others would be rebuilding."

tearing down and transporting, others would be rebuilding."

The site of the Penitentiary was bought in 1832 Some Improvements were made in 1834, but its was not till 1852 that work began on the but its was not till 1852 that work began on the long-term prison. The wall was built in 1859. When the Kings Park I and was bought in 1885, the argument made in the Board of Supervisors was that all of the county charitable and correctionary buildings were to be moved there. So the project of moving the Pentlentiary is not a new one but an old one revived. Things So the project of moving the reminded a new one, but an old one revived. Things drifted slong until it was finally thought to be too expensive under Supervisorial rule to build more than an asylum for the insane at St. Johnland. As for the hospital and almshouse, it was the general opinion that they should be nearer to the city than forty miles.

WILL NOT TELL WHAT A MEAL IS.

DISTRICT-ATTORNEY BACKUS REFUSES TO GIVE

District-Attorney Foster L. Backus returned biatrict-Attorney Foster L. Backars returned to his duties yesterday after a vacation in the South. He said that the attacks upon him had not ruffled his feedings "even a little bit." In referring to the enforcement of the Raines law, he said there were bout 2,000 cases of alleged violations, which could be disposed of at the rate of about twenty-fivto take up the cases without delay, but he believed that convictions under the Raines law would be difficult. Mr. Backus was asked if he intended to test the legality of some of the so-called hotels that have sprung up since the Raines law went into

"I cannot proceed," replied Mr. Backus, "unless "I cannot proceed," replied Mr. Backus, "unless the Police Department or some citizen presents to me facts tending to show the illegality of those places. This office cannot go out and get evidence as the business is too great for the present staff. I think that Coney Island will offer a fruitful held if any one takes the trouble to go down there. If complaints are made at this office, I will do my best to proceed against the offenders."

Mr. Backus refused to give his opinion as to what constitutes a meal. He preferred, he said, to let the judges answer that question, and also what is properly a hotel under the Raines act.

find a policeman all this time. He crossed the river with the men, and when the New-York side was reached met a policeman attached to the Leonardst. station, whom he told of the robbery. Butner and Kaiser were taken into custody and detained, while Ossman hastered back to Brocklyn and notified the police of the Stagest station. Detective Becker went to New-York and took the men back to Brocklyn. In default of \$1,000 ball, both went to

AN ALLEGED ROBBER HELD.

James Sullivan, twenty-one years old, of No. 302 Henry-st., New-York, who was arrested Monday night after robbing, it is alleged, Henry Mangel, of No. 1,133 Bushwick-ave., of a diamond pin while on a Broadway ear, was arraigned yesterday in the Lee Avenue Police Court and heid for trial. In default of \$1,000 ball. Sullivan went to jail. When arrested a diamond horseshoe pin was found on him, and he refused to say where he got it. Mangel's pin was re-covered by Motorman Miller, who seized Sullivan before he could escape. Sullivan's two companions escaped, and he refused to tell the police their names. No. 1,193 Bushwick-ave., of a diamond pin while on

A DIAMOND THIEF CAUGHT.

week ago a diamond stud, the property of Otto Bryan Clark, of Richmond, Va., who had called at Mr. Brown's home to see a young woman employed

ADELPHI ACADEMY GRADUATES.

AN ENTENDED PROGRAMME PREPARED. FOR COMMENCEMENT WEEK.

The programme of exercises for commencement week at the Adelphi Academy has been announced as follows: Wednesday, June 3, last day of recitaons; Thursday, June 4, examination day; in the hall, at 9:30 a. m., final exercises of the primary grades; Friday, June 5, at 8 p. m., in the Academy Hall, class day exercises of th lowed by a reception; Monday, June 8, in the hall,

Hall, class day exercises of the class of '96, followed by a reception; Monday, June 8, in the hall, at 9:30 a m., final exercises of the grammar division of the Academic Department and of the Colegiate Department, bestowal of certificates, prizes and medal, innoughout the day from 9 a m. until 1p, m., and from 3 p. m. until 1p, m., exhibition of the class work and equipment of all departments of the scademy to which all are invited. Monday evening, in the Academy Hall, at 8 o'clock, the second annual commencement of the kindergarten training course will take place. There will be appropriate music, and essays will be read by the Misses Katherine Dana Street, Eliza Keeso Willets and Mary Evangeline Slosson, members of the straining course during the year will be displayed in the kindergartian rooms.

On Thesday, June 9, the twenty-seventh annual commencement exercises of the academy will be held in the Elmanuel Baptist Church, at 8 p. m. The graduating class numbers lifteen, of whom eight will present themselves for the diploma of the academy in the literary course, five in the classical course, and an oration will be read by four members of the class representing the literary course, an essay by one representative of the classical course, and an oration will be read by four members of the class Adelia Caroline Harding. Of the members of the class representative of the classical course, and an oration will be delivered by a representative of the class Adelia Caroline Harding. Of the members of the class will receive their friends in the pariors of the classical course, and an oration will be delivered by a representative of the collegate in the primary division of the academic department should go to room 10 in the Collegiate Building.

M

MR. YORK APPOINTED.

MADE SPECIAL COMMISSIONER OF JURORS IN THE APPELLATE DIVISION, SUPREME COURT.

Rernard J. York was yesterday appointed specpellate Division of the Supreme Court, acting in ac ordance with a law recently signed by the Governor In the latter part of the term of Judge Moore, Mr In the latter part of the term of Judge Moore, Mr. York was chief clerk in the county courts. York was a candidate for the County Judgeship, and was beaten by Judge Aspinall. The law under which the appointment was made calls for a similar officer in each county of the State having a population of 500, 608. The term is for five years, but a majority vote of the Justices of the Appellate Division may remove the Commissioner. York will receive \$4,500 a year. The chief clerk of the Appellate Court has received this official report of the appointment of York:

York:

We, the undersigned justices of the Appellate Division of the Supreme Court of the Second Judicial Department, under and by virtue of the power conferred upon as by Chapter 378 of the Laws of 1886, hereby appoint Bernard J. York, esq., to be official Commissioner of Jurors for the county of Kings and fax the salary or compensation of the said special Jury Commissioner at the sum of \$4,600 per annum.

CALVIN E. PRATT.

EDGAR M. CULLEN,
WILLARD BARTLETT,
EDWARD W. HATCH.

Brooklyn, June 1, 1896.

Brooklyn, June 1, 1898.

ONE MORE M'KINLEY LEAGUE.

The McKinley League of the Nineteenth District

was organized on Monday night in Stutter's Hotel, in Johnson-st. William A. Faber presided and made a vigorous address in which he spoke of Major Mc-Kinley's services to this country. He predicted a return of prosperity in case McEinley is elected.

TRIAL OF JACOB KLEIN FOR ALLEGED ARSON BEGUN.

LOUIS ROTHMAN, WHO HAS BEEN IN SING SING PRISON FOR SOME TIME, AND MAX GLUCK-

MAN, AWAITING TRIAL FOR ARSON IN THE TOMBS, AMONG THE

WITNESSES.

The principal witnesses on behalf of the prosecution were examined yesterday in the County Court before Judge Hurd and a jury on the trial of Jacob Klein for arson in the first degree. It was nearly noon when the jury-box was filled and Assistant District-Attorney Miles opened the case for the people. He said that the defendant was indicted jointly with Adolph Hirschkopf, who is now in the Tombs on a charge of manslaughter in connection with another arson case. The charge against Klein and Hirschkopf was that they set fire to Klein's house, at No. 74 Johnson-ave., on June 30, 1894, in order to get the insurance on Klein's property there. Hirschkopf and Klein had conspired together to get the insurance through an incendiary fire. Hirschkopf had told Klein that if he would get his property insured for \$800 they could have a fire in the place, the details of which would be managed by Hirschkopf. The defendant would get \$700 and the rest would go to his confederate. Klein had demurred at first, but had finally consented, and the fire was set as agreed. It was not until some time afterward that it was discovered that the fire had been of incendiary origin.

The first witness called after recess was Richard

M. Lee, of No. 1.050 Bedford-ave., an insurance agent, who testified that he had secured the polcy for Klein. James Hodges, the cashier of the Hartford Insurance Company, which issued the policy, testified that he had sent a check for \$665 to Klein for his loss at the fire. The firemen who were called to put out the fire told of its character, and then the first important witness was called in the person of Louis Rothman, whose present residence is Sing Sing Prison, where he is serving a term of fifteen years on his plea of guilty to an indictment for arson. Bothman said that he knew Hirschkopf well, and that he saw Klein three times before the fire. Two interviews were at Klein's house and the other was at Hirschkopf's house, at No. 61 Moffett-st., New-York. On the night of the fire the witness had gone to Hirschkopf's house at the latter's invitation, and had been told to cross the Grand-st. ferry and wait on the Brooklyn side until he was met by men named Gluckman and Rosenbaum, When he said he was afraid, Hirschkopf had replied to him: "You're green, and you have no money. You need not be afraid. Everybody, including the fire marshal, knows all about it." Rothman said that a bottle had been given to him, with the orders to pour its contents about the floor of Klein's rooms. When he got to Kieln's house, according to his story, he saw a woman there, but he didn't speak to her. He had poured the contents of the bottle on the floor, and then gone away. A woman who went to the house with him had remained afterward and set the fire. It was afterward developed that the woman's name it Silbermeister, and that she is now in the Auburn Prison for arson.

Cross-examined by Mr. Elder, counsel for the defendant, Rothman said that he had been in Sing Sing since January 28, 1895, and that he would be glad to get a commutation of sentence.

Max Gluckman was the second witness. He eald that on June 26 he will have been in the Tombs for a year awaiting trial on a charge of arson. Hirschkopf had brought him from Germany, and he was almost immediately arrested and put in jail. The witness said that he saw Klein on the Friday night before the fire. That night he and Hirschkopf had gone to Klein'shouse and got him up. Hirschkopf had said that everything was in readiness to start the fire the next day. He had asked where the muslin was, which he had told the defendant to prepare, and Klein thing was in readiness to start the fire the held day. He had asked where the muslin was, which he had told the defendant to prepare, and Klein had showed him a pile in a closet. He had told Klein to go to New-York in the morning as usual, and when defendant had asked whether the fire marshal had been seen, he had replied that "everybody had been seen" that morning.

Judge Hurd asked what the muslin was to be used for, and the witness replied that it was there to show that Klein had lost something and

Judge Hurd esked what the muslin was to be used for, and the witness replied that it was there to show that Klein had lost something and also to make the fire burn more flercely. Gluckman said that Klein had a set of furniture in his place which he had seen two weeks previously in the possession of Hirschkopf. The next night he was in Hirschkopf's house in New-York when Rothman and Mrs. Silbermeister had returned. Rothman had said that the fire had gone smoothly. Then Klein, who was also there, had wanted to go back to his house, but he had been told to wait a while. Simon Rosenbaum, who was responsible for most of the information concerning the alleged conspiracy, was the next witness. He said that he lives at No. 200 Suffolk-st., New-York. He had seen Klein in Hirschkopf's house many times and had been told of the plot to burn Klein's house. Later he had told the officials of the conspiracy, and for that Hirschkopf had thrown acid at him one night and burned him on the face and hands. Under cross-examination by Mr. Elder, the witness at first denied that he had ever been arrested before, but afterward he remembered that about two years ago he was charged with arson, and Mr. Miles was ward he remembered that about two years ago he was charged with arson, and Mr. Miles was

his counsel. He was acquitted.

The trial will be continued this morning.

ESTIMATES WHITTLED DOWN.

THE BOARD OF ESTIMATE STILL ENGAGED IN REDUCING EXPENSES.

The Board of Estimate resumed its work whittling down the asked-for appropriations of the different departments, meeting at about 11 o'clock yesterday forenoon in the Controller's office. All the members were present. Mayor sided. The Taxpayers' Association of the Thirty-second

Ward asked that \$8,215 be set askie for gaslights, streets and fire hydrants in that ward. No action was taken. County Clerk Saffen and Register Harman made a

request for \$50,000 and \$75,000 respectively for indexing work on the block system in their departments. The

requests were laid over until Thursday. The sum of \$600 was appropriated to meet the expense of the services of a janitor in Justice Neu's ourt in Court-st.

Health Commissioner Emery exploded a small-sized bomb upon the city economists by asking for an increase to his budget, amounting to \$20,400, made necessary, he said, by the Governor's approval of a

new State law, regulating the employment of women and children in mercantile establishments. Dr. Emery says that this will bring about the establishment of a new bureau in his department. He asks for money as follows: Chief inspectors, \$2,000; six medical inspectors, \$3,000; three inspectors, \$3,000; two clerks, \$2,100; one stenographer, \$1,000; one counsel's assistant, \$1,200; stationery, printing, postage and so forth, \$1,500. This estimate was also laid over and referred to the Corporation Counsel. The Board again grappled with the budget of the

City Works Department. Alderman Cark called attention to the fact that superintendents and deputies in different departments had variable salaries. He thought that the superintendents and deputies should all be paid alike. No action was taken. Commissioner Willis caused a thrill of gratitude in the hearts of the members of the Board by announcing that when he asked some time ago for \$750,000 for cleaning streets and removing ashes his esti-mate was made before he had made the contract. Now he was satisfied that he could get along with \$650,000. The item was cut to that figure with amusing

Police Justice Steers was allowed to explain why he asked for \$12,770 for his court expenses, when it was understood that he had little business to transact. Mr. Steers said that his court had something more than two thousand cases last year, and he expected to have twice as many this year. The Board did not take kindly to his application, and he was requested to furnish a detailed statement of the business done in his court since January I.

Commissioner Willis made an earnest plea to permit an increase of \$11,500 in the Bureau of Street Construction and Maintenance. No action was taken.

Mr. Neal, the clerk, read a communication from President Swanstrom of the Board of Education asking for an item of \$50,000 for additional teachers salaries. No action was taken.

District-Attorney Backus's budget was briefly Police Justice Steers was allowed to explain why